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October 6, 2008

**VIA ECF**

Honorable Charles P. Sifton  
United States District Court  
225 Cadman Plaza East  
Brooklyn, NY 11201

Re: **Vadim Mikhlyn, Inga Mikhlyn and ABC All Consulting, Inc. v. Ana Bove, Polina Dolginov, et al.**  
**Docket No.: 08 CIV. 3367**

Dear Judge Sifton:

At oral argument on September 25, counsel for defendants' handed up a document with series of case citations with brief, one sentence descriptions of the case holdings (apparently from a law digest or similar source). Defendants offer no argument in the document or attempt to apply the case citations to our facts. Given that the issue of whether there was a partnership between the parties was briefed in plaintiffs' first set of motion papers, and defendants have already submitted two sets of motion papers where partnership issues could have been, and were, discussed, we request the right to address any additional arguments made by defendants on the partnership question (whether based on the citations handed up to the Court or based on other legal authorities).

Respectfully submitted,



Eric Wertheim

EW/da

cc: Tuvia Rotberg, Esq. (via fax)